

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

LEO DONALD DRONE, JR.,

Petitioner,

v.

**CASE NO. 2:17-CV-00266
CRIM. NO. 2:15-CR-00192(1)
JUDGE GEORGE C. SMITH
Magistrate Judge Vascura**

UNITED STATES OF AMERICA,

Respondent.

OPINION AND ORDER

On January 8, 2018, the Magistrate Judge issued a *Report and Recommendation* recommending that the *Motion to Vacate under 28 U.S.C. § 2255* (ECF No. 102) be dismissed. (ECF No. 118). Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* (ECF No. 118) is hereby **ADOPTED** and **AFFIRMED**. The *Motion to Vacate under 28 U.S.C. § 2255* (ECF No. 102) is hereby **DISMISSED**.

Petitioner has failed to exercise his right to appeal by failing to file objections. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). Therefore, the Court **DECLINES** to issue a certificate of appealability.

IT IS SO ORDERED.

s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT